

FARAD CONTINUATION SHEET NO.  
IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**CRIMINAL APPLICATION NO.1149 OF 2006**

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Office Notes, Office  
Memoranda of Coram, Court's or Judge's orders  
appearances, Court's orders  
or directions and  
Registrar's orders  
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Mr.Avinash Fatangare for the  
applicant.

Mr.S.S.Tatkare APP for the State.

**Coram : R.S.Mohite, J**

Date : 12.4.2006.

PC

1. This is an application for leave to file an appeal. The respondents who were the accused have been acquitted by the JMFC, Patan vide the impugned judgment and order dated 27.1.2006. I have perused the impugned judgment and the evidence. The view taken is a possible view. The incident in question took place on 24.9.2000. The allegation of the complainant is that 4 to 5 persons beat him for 10 to 15 minutes. The wife is also examined. The accused got himself examined 2 days after in

the civil hospital. Three injuries of tenderness are found. The Court has come to the conclusion that if 4 to 5 persons beat for 10 to 15 minutes the injuries will become contusion abrasion. There is contradiction regarding place of the incident. Witnesses examined are interested witnesses and no independent witness is examined. In this view of the matter, the view taken is a possible view. Hence, leave is refused. Consequently, appeal to stand dismissed.

**(R.S.Mohite, J)**